

The National Organic Standards Board  
c/o Valerie Frances, Executive Director  
NOSB, USDA-AMS-TM-NOP  
1400 Independence Avenue, SW.  
Room 4008-South Bldg., Ag Stop 0268  
Washington, D.C. 20250-0200

November 15<sup>th</sup>, 2006

Dear Ms. Frances,

In follow-up to the NOSB meeting held recently, please accept these additional comments concerning the recommendation for the Establishment of Commercial Availability Criteria. Ocean Nutrition Canada Limited (ONC) is the manufacturer of various Omega-3 fish oil healthy food ingredients. As such, we have an interest in the development of commercial availability criteria.

We would like to thank the NOSB for the clarification they provided concerning their recommendations. Thank you for taking the time to revise the language used in section B of the recommendation (NOSB and NOP role in review of petitions). We were pleased to learn that while the NOSB will collect industry information to evaluate the fragility of supply and allow the information to be public record, it is the accredited certifying agents that will still provide the final determination on a case-by-case basis.

Further, we are particularly interested in the Section B revision that states, "In recommending that an agricultural material should be placed on 205.606, the NOSB shall ascertain, through technical review if necessary, that the material is agricultural". We are hopeful that the NOSB and NOP will recognize the agricultural status of fish gelatin and Omega-3 fish oil when assessing the petitions submitted by ONC. The decision tree recommended and discussed at the NOSB can be a valuable tool in making agricultural and non-agricultural determinations; therefore, we would like to see its use during NOSB and NOP review of petitions to ensure consistency and transparency of agricultural and non-agricultural designations.

The NOSB illustrated their dedication to the continued evolution of the organic industry during the discussions held at the recent meeting. We appreciate the time and consideration that has been given to the comments ONC presented at the NOSB meeting and in writing. We welcome any questions you have concerning the Omega-3 fish oil and fish gelatin petitions that have been submitted for consideration under section 205.606. We have provided additional feedback concerning agricultural and non-agricultural designations in our response to the recommendations specific to that topic.

Sincerely,



Julianne Mayo  
Regulatory Affairs Associate